

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 05-030960-12-CR-S-RED
)	
MARK A. NELSON,)	
)	
Defendant.)	

ORDER

Pending before the Court is Defendant's Motion to Suppress Evidence (Docs. 221), and Government's Response to Defendant's Motion to Suppress Evidence (Doc. 237).

Defendant seeks to exclude from evidence at trial evidence seized as a result of a federal search warrant executed on January 30, 2005. Defendant argues that the warrant was defective because it lacked probable cause and was thus invalid under the Fourth Amendment.

On January 10, 2006, United States Magistrate Judge James C. England issued his Report and Recommendations (Doc. 265), recommending that Defendant's motion be denied. Defendant has filed no objection or exception to the Report and Recommendation, and the time for such filing has expired.

Upon careful and independent review of the pending motion, the suggestions filed by the parties in regard to said Motion, and a review of the applicable law, the Court hereby adopts and incorporates as its own opinion and order, the Report and Recommendation of United States Magistrate Judge James C. England.

Accordingly, it is hereby ordered that Defendant's Motion to Suppress Evidence (Doc. 221) is overruled and denied.

IT IS SO ORDERED.

DATE: March 27, 2006

/s/ Richard E. Dorr
RICHARD E. DORR, JUDGE
UNITED STATES DISTRICT COURT